

SEVENTY-SECOND DAY**NOON SESSION**

Senate Chamber, Olympia, March 22, 2005

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2005

SHB 1196 Prime Sponsor, Committee on Financial Institutions & Insurance: Including the longshore and harbor workers' compensation account within the Washington insurance guaranty association. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Honeyford, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

HB 1235 Prime Sponsor, O'Brien: Requiring consultation between counties, cities, and towns before siting homeless camps. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Without recommendation. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, Mulliken, Pridemore and Roach

Passed to Committee on Financial Institutions, Housing & Consumer Protection.

March 21, 2005

HB 1331 Prime Sponsor, Conway: Requiring electrical contractors to be licensed before advertising. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

MINORITY recommendation: Without recommendation. Signed by Senator Honeyford

Passed to Committee on Rules for second reading.

March 21, 2005

ESHB 1401 Prime Sponsor, Committee on Local Government: Requiring certain buildings to add automatic sprinkler systems. Revised for 1st Substitute: Regulating fire safety. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Without recommendation. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, Mulliken, Pridemore and Roach

Passed to Committee on Labor, Commerce, Research & Development.

March 21, 2005

ESHB 1631 Prime Sponsor, Committee on Local Government: Using revenues under the county conservation futures levy. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Without recommendation. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, Mulliken, Pridemore and Roach

Passed to Committee on Natural Resources, Ocean & Recreation.

March 21, 2005

EHCR 4404 Prime Sponsor, Kenney: Approving the 2004 update to the state comprehensive plan for work force training. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9010 RICK S. BENDER, reappointed September 18, 2003, for the term ending June 30, 2007, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9014 JUDY BLINN, appointed December 1, 2004, for the term ending September 30, 2009, as Member, Board of Trustees, South Puget Sound Community College District No. 24. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9028 REBECCA CHAFFEE, appointed July 22, 2004, for the term ending September 30, 2007, as Member, Board of Trustees, Community College District No. 2 (Grays Harbor College). Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9032 BARBARA CLARKSON, appointed July 1, 2004, for the term ending September 30, 2008, as Member, Board of Trustees, South Puget Sound Community College District No. 24. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9034 DENISE COLLEY, appointed September 8, 2004, for the term ending July 1, 2009, as Member, Board of Trustees, State School for the Blind. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9048 THOMAS E. EGAN, reappointed July 1, 2003, for the term ending June 17, 2009, as a Chair of the Board of Industrial Insurance Appeals. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9052 FRANK E. FENNERTY, JR., reappointed February 8, 2002, for the term ending June 17, 2007, as Member of the Board of Industrial Insurance Appeals. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9053 ANNABELLE FITTS, appointed January 27, 2004, for the term ending July 1, 2007, as Member, Board of Trustees, State School for the Blind. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9072 JULIANNE HANNER, appointed July 25, 2003, for the term ending June 30, 2006, as Member of the Work Force

Training and Education Coordinating Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9075 DAVID HARRISON, appointed June 7, 2003, for the term ending at the governor's pleasure, as a Chair of the Work Force Training and Education Coordinating Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9080 WALTER T. HUBBARD, reappointed July 27, 2003, for the term ending July 26, 2009, as Member of the Personnel Appeals Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9086 MICHAEL JONES, appointed December 21, 2004, for the term ending May 31, 2005, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9104 DAVID LAMB, appointed August 30, 2004, for the term ending September 30, 2008, as Member, Board of Trustees, The Evergreen State College. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9115 ASBURY LOCKETT, appointed July 25, 2003, for the term ending June 30, 2007, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9116 MARSHA LONG, appointed January 23, 2003, for the term ending January 4, 2009, as Member of the Personnel Resources Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9137 GERALD L. MORGEN, reappointed April 10, 2002, for the term ending July 26, 2007, as Member of the Personnel Appeals Board. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9153 ALAN R. PARKER, reappointed July 1, 2003, for the term ending June 30, 2009, as Member of the Gambling Commission. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9159 SHERRY PERRY, appointed October 7, 2004, for the term ending July 1, 2008, as Member, Board of Trustees, State School for the Blind. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9166 DOLORITA REANDEAU, appointed August 19, 2004, for the term ending July 1, 2009, as Member, Board of Trustees, State School for the Deaf. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9183 FAWN SHARP-MALVINI, appointed November 1, 2004, for the term ending September 30, 2008, as Member, Board of Trustees, Community College District No. 2 (Grays Harbor College). Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9205 THUY VO, appointed December 16, 2004, for the term ending September 30, 2006, as Member, Board of Trustees, Lower Columbia Community College District No. 13. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9210 SUSAN WILDER CRANE, appointed March 10, 2004, for the term ending February 21, 2007, as Member of the Washington State Apprenticeship and Training Council. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9215 ERIC WISEMAN, appointed September 27, 2004, for the term ending July 1, 2008, as Member, Board of Trustees, State School for the Blind. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9236 GARY CHRISTENSON, reappointed June 5, 2003, for the term ending January 17, 2007, as Member of the Horse Racing Commission. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Hewitt, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

March 21, 2005

SGA 9282 MELINDA E. TRAVIS, reappointed August 3, 2003, for the term ending August 2, 2009, as Member of the Lottery Commission. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Eide, the Senate advanced to the third order of business.

MESSAGES FROM THE STATE OFFICES

March 18, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Columbia River Gorge Commission, Audit Report.

If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Columbia River Gorge Commission, Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

March 18, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Shoreline Community College Accountability Audit Report.

If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Shoreline Community College Accountability Audit Report is on file in the Office of the Secretary of the Senate.

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6090 by Senators Prentice and Zarelli

AN ACT Relating to fiscal matters; amending RCW 28A.160.195, 28A.305.210, 28A.500.030, 28B.119.010, 41.50.110, 41.50.110, 43.07.130, 43.08.190, 43.10.180, 43.72.900, 46.09.170, 67.40.040, 70.93.180, 70.105D.070, 70.146.030, 70.146.080, 70.148.020, 74.09.5225, 79.90.245,

and 86.26.007; reenacting and amending RCW 43.320.110; creating new sections; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6091 by Senators Haugen and Swecker

AN ACT Relating to transportation funding and appropriations; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 6092 by Senators Poulsen, Morton, Prentice and Fraser

AN ACT Relating to funding actions taken in response to the declaration of a statewide drought emergency; adding new sections to 2003 1st sp.s. c 25 (uncodified); adding a new section to 2003 1st sp.s. c 26 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6093 by Senators Fraser and Hewitt

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 28B.14H.050; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6094 by Senators Fraser and Hewitt

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.135.045, 43.88.032, and 28B.50.360; amending 2003 1st sp.s. c 26 ss 115, 131, 240, 330, and 403 (uncodified); amending 2004 c 277 ss 201, 110, 209, 221, 262, 236, and 904 (uncodified); creating new sections; repealing 2003 1st sp.s. c 26 s 603 (uncodified); repealing 2004 c 277 s 302 (uncodified); providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SJM 8022 by Senators Benton, Honeyford and Mulliken

Requesting Congress to pass the Nonresident Income Tax Freedom Act.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Eide, the Senate advanced to the eighth order of business.

MOTION

Senator Shin moved adoption of the following resolution:

By Senator Shin

WHEREAS, June 15, 2005, has been designated to celebrate Korean Peninsula Peace Day; and

WHEREAS, Korean-Americans, like waves of immigrants to the United States before them, have taken root and thrived in the United States through strong family ties, robust community support, and countless hours of hard work; and

WHEREAS, The over 100,000 Korean-Americans living in Washington State, most of whom are United States citizens, have made substantial contributions to their community and have invigorated business, church, and academic interests in the United States; and

WHEREAS, Members of the early Korean-American community served with distinction in the Armed Forces of the United States during World War I, World War II, the Korean Conflict, and the Vietnam War; and

WHEREAS, On June 25, 1950, Communist North Korea invaded South Korea with approximately 135,000 troops, thereby initiating the involvement of approximately 5,720,000 personnel of the United States Armed Forces who served during the Korean Conflict to defeat the spread of communism in Korea and throughout the world; and

WHEREAS, Casualties in the United States Armed Forces during the Korean Conflict included 54,260 dead (of whom 33,665 were battle deaths), 92,134 wounded, and 8,176 listed as missing in action or prisoners of war; and

WHEREAS, Korea is Washington's fourth largest trading partner, and our state exported over 3.6 billion dollars in goods to Korea in 2001; and

WHEREAS, Korean-Americans own and operate approximately 3500 businesses in Washington that have gross sales and receipts of 1.5 billion dollars annually, pay 180 million dollars in taxes per year, and employ approximately 10,000 Washingtonians; and

WHEREAS, The State of Washington has and continues to benefit tremendously from the contributions of Korean immigrants and Korean-Americans; and

WHEREAS, The Advisory Council on Democratic and Peaceful Unification Seattle Chapter has worked indefatigably for the peaceful reunification of the Korean Peninsula; and

WHEREAS, The Korean-American community maintains close ties with Korea and, at the same time, continues to establish and strengthen their relationships to the United States; and

WHEREAS, On June 15, 2000, the leaders of North and South Korea reached an agreement to improve economic and familial ties in an effort to build trust between the two countries;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recognize and express its appreciation for the numerous outstanding achievements and contributions Korean-Americans have made which have enriched communities throughout Washington state, and around the country, and encourage citizens and organizations throughout Washington to join the celebration of Korean Peninsula Peace Day with appropriate programs, ceremonies, and activities.

Senators Shin and Rasmussen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8654.

The motion by Senator Shin carried and the resolution was adopted by voice vote.

MOTION

At 12:10 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, March 23, 2005.

BRAD OWEN, President of the Senate